

SEALED

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

FILED

June 16, 2023

KAREN MITCHELL
CLERK, U.S. DISTRICT
COURT

United States of America
v.

Kevin Lamont Ealy

Case No.

3:23-MJ-583-BH

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 6, 2022 in the county of Dallas in the
Northern District of Texas, the defendant(s) violated:

Code Section

Title 18, United States Code,
Section 1952(a)(3)

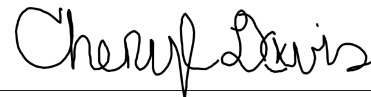
Offense Description

Interstate travel or transportation in aid of racketeering
enterprises

This criminal complaint is based on these facts:

Please see attached affidavit in support of criminal complaint.

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Cheryl Davis, FBI

Printed name and title

Agent sworn and signature confirmed via reliable electronic means, pursuant to Fed. R. Crim. P. 4.1.

Date:

June 16, 2023

City and state: Dallas, Texas



Judge's signature

IRMA CARRILLO RAMIREZ, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Cheryl Davis, a Special Agent with the Drug Enforcement Administration (“DEA”), being duly sworn, depose and state as follows:

Introduction

1. This affidavit is made in support of a criminal complaint against Kevin Lamont Ealy for violating Title 18, United States Codes, Section 1952(a)(3).¹ The information contained in this affidavit is based on my personal participation in this investigation, reports made to me by other law enforcement authorities, interviews with witnesses and victims, and my review of evidence, including electronic and bank records. Since this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included every fact known to me concerning this investigation.

Affiant’s Background

2. I am a Special Agent with the DEA and have been since March 2006. I have received specialized training on combatting drug trafficking and money laundering from the DEA, the United States Attorney’s Office, and the Organized Crime Drug Enforcement Task Force. I have been personally involved in investigations concerning

¹ Whoever travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity, and thereafter performs or attempts to perform an act described in paragraph (1) shall be fined under this title, imprisoned not more than 5 years, or both.

As used in this section (i) “unlawful activity” means (1) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics or controlled substances (as defined in section 102(6) of the Controlled Substances Act), or prostitution offenses in violation of the laws of the State in which they are committed or of the United States, and (ii) the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

the possession, manufacture, distribution, and importation of controlled substances, as well as the financing of drug transactions and the laundering of drug proceeds. I am presently involved in investigating covert and overt drug trafficking and money laundering, working in conjunction with other federal and local police agents and agencies throughout the United States of America. I am familiar with and have participated in conducting undercover operations, visual and video surveillance, witness questioning, controlled deliveries, obtaining and executing search and arrest warrants, and managing and using informants. I have been an affiant for federal search warrants since 2006.

Probable Cause

3. Based on what is set forth in this affidavit, there is probable cause to believe that Kevin Lamont Ealy has conspired with others to violate Title 18, United States Code, Section 1952(a)(3) (interstate travel or transportation in aid of racketeering enterprises) and did commit that offense. In mid-2022, the DEA's DFW Airport Group began investigating Ealy for trafficking marijuana (sourced through suppliers in California and other places outside Texas) into and in the Dallas area, as well as laundering money from that activity.

4. Ealy is a 29-year-old man residing in Dallas County. The address listed on his current Texas identity card is 9324 Dumfries, Dallas, Texas (a location in the Northern District of Texas). The same address is also listed on a Currency Transaction Report filed by Bank of America in October 2022 documenting \$20,000 in cash transactions (withdrawals) by Ealy from two branches. And the same address is also

listed on two Bank of America accounts he maintains. Additionally, according to Dallas Police Department and Chubb Insurance reports concerning a burglary in July 2022, Ealy was residing at 1531 Inspiration, Apartment 4024, Dallas, Texas (a location in the Northern District of Texas).

5. Ealy is currently on community supervision concerning two drug-related felony convictions and has been since April 2019; his supervision on the cases will expire in 2025. Specifically, Ealy was convicted in April 2019 for manufacture/delivery of a controlled substance in penalty group 1 (a first-degree felony) in Collin County, based on conduct occurring in May 2018, and is currently serving a six-year probationary sentence. Additionally, he was convicted in May 2021 for possession of a controlled substance penalty group 1 – cocaine (a first-degree felony) in Dallas County, based on conduct occurring in September 2018, and is serving a deferred adjudication sentence, with three years' community supervision.

6. Since Ealy was placed on community supervision for the Dallas County case (May 2021), he has secured a flight ticket² and traveled from Dallas County on American Airlines (AA) flights from the D/FW Airport³ (DFW) at least 22 times, according to AA records and as detailed below:

² In 2022, Ealy held membership in the AAdvantage program, the American Airlines' loyalty program that awards members who fly on American Airlines frequently with free flights and upgrades on booked flights, among other perks and benefits. Securing a ticket on an American Airlines flight, whether through a cash purchase at the ticket counter, a credit card purchase on the American Airlines website (aa.com), or the redemption of miles earned through the AAdvantage program, involves, or requires the use of, an interstate facility, including, but not limited to the electronic transmission of booking, passenger, and financial information by and through the American Airlines computer system, a network linking American Airlines facilities across the U.S. and the world.

³ DFW serves 250+ destinations, including 60+ international locations.

Departure Date	Arrival Airport	Return Date
May 25, 2021	Los Angeles (LAX)	May 27, 2021
June 2, 2021	LAX	June 3, 2021
June 9, 2021	LAX	June 10, 2021
June 15, 2021	Tampa (TPA)	June 20, 2021
June 21, 2021	LAX	June 22, 2021
July 2, 2021	LAX	July 4, 2021
July 15, 2021	Chicago (ORD)	July 16, 2021
July 19, 2021	LAX	July 21, 2021
July 26, 2021	Orlando (MCO)	July 29, 2021
August 2, 2021	LAX	August 3, 2021
August 10, 2021	LAX	August 11, 2021
September 1, 2021	LAX	September 2, 2021
September 22, 2021	LAX	September 23, 2021
October 5, 2021	LAX	October 6, 2021
October 22, 2021	LAX	October 23, 2021
November 28, 2021	Las Vegas (LAS)	December 1, 2021
December 8, 2021	LAX	December 9, 2021
March 24, 2022	LAX	March 26, 2022
March 31, 2022	LAX	April 2, 2022
May 23, 2022	Santa Ana, CA (SNA)	May 24, 2022
June 1, 2022	LAX	June 4, 2022

September 18, 2022	LAX	September 19, 2022
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7. Before he was placed on community supervision, Ealy traveled just as extensively, again primarily from DFW to LAX. Specifically, from January 2021 through May 14, 2021, Ealy flew 18 times on AA from DFW to LAX, including 2 same-day trips and 11 one-day (overnight) trips. In 2020, Ealy flew over 45 times on AA from DFW to LAX from March through December, including 22 same-day trips.

8. Based on my training and experience, I know that Los Angeles is a source city for those wishing to acquire marijuana and bring it into Texas; in California, it is legal for anyone over the age of 21 to possess marijuana, and it is sold from numerous dispensaries in Los Angeles and through the state.

9. Concerning Ealy's travel, federal investigators have encountered him (and/or luggage checked by him) at DFW three times since August 2021. On all three occasions, Ealy had acquired a ticket on an American Airlines flight. In the first incident (August 2021), Department of Homeland Security investigators examined two checked suitcases tagged by AA as belonging to Ealy and destined to travel with him on a flight to LAX. Ealy was booked to return from LAX to DFW the following day. The suitcases smelled of marijuana, and a canine trained to detect the odor of narcotics (including marijuana) and certified to do so, gave a positive alert on the suitcases. After obtaining a search warrant for the suitcases, the investigators opened them, quickly noting a strong odor of marijuana coming from their interiors. The suitcases contained only two T-shirts (one with green leafy flakes on it), a pair of flip flops, a dryer sheet, a torn piece of a

plastic bag, a pair of long shorts, and several bundles of U.S. currency in the shorts' pockets. On-the-spot chemical testing of the leafy flakes resulted in a presumptive positive result for THC, the psychoactive ingredient in marijuana. The currency totaled \$14,939; was comprised of over 760 bills; and tested presumptively positive for contact with cannabis. In second incident (July 6, 2022), Ealy was encountered by DEA investigators at DFW, as he was waiting to travel on an AA flight to LAX that day. Ealy consented to the investigators searching his carry-on bag, as well as two suitcases he had checked as luggage. Investigators found twelve bundles of U.S. currency totaling \$19,985 inside Ealy's carry-on bag. The two suitcases were empty, but the interior of one did test positive for contact with cannabis. In voluntary conversation with the investigators, Ealy said he was going to Los Angeles for two to three days to record music; did not have a return trip booked; and was staying an Airbnb booked by someone else. Ealy also told the investigators that he had about \$8,000 to \$10,000 in his carry-on bag but wasn't exactly sure since his cousin had given it to him in bundles after he had asked his cousin for \$10,000. Ealy told the investigators that he was going to use the money to buy T-shirts in Los Angeles. He also stated that he was a rapper and worked at a smoke shop. In the third incident (October 5, 2022), Ealy was encountered at DFW, awaiting an AA flight to LAX, with a return flight the following day. In a voluntary interview with DEA investigators, Ealy told them that he was going to Los Angeles for several days; was going to buy clothing and luggage there; was going to stay in a hotel but did not know which one; was working as a musician; and was going to visit a friend

in Los Angeles. Ealy consented to a search of his backpack, and investigators found several bundles of U.S. currency totaling \$25,000 in it.

10. On January 10, 2023, Ealy was arrested by Oklahoma law enforcement officers in Garvin County for possessing drug proceeds and for use of a telecommunication device to commit a controlled dangerous substance crime (violations of Oklahoma law). Specifically, Ealy was a passenger in a car driven by another individual and heading northbound on I-35 (an interstate highway). When the car's driver committed a traffic violation (failing to properly signal a lane change) about an hour north of the Texas/Oklahoma border around 2:30 a.m., an Oklahoma law enforcement officer stopped the vehicle. After the smell of marijuana was detected from the car's interior; Hill could not produce his driver's license; Hill stated that he (Hill) did not have a medical marijuana license; Hill acted nervously when speaking to the law enforcement officer about marijuana; Hill told the officer that he and Ealy had come to Oklahoma to look at a car for Ealy, but didn't know what kind of car it was or where it was located; and Ealy told the officer that he and Hill had come to Oklahoma to go to a casino ("the blue one"), but didn't know the name of it, the officers searched the car. Before the search, Ealy had told one officer that he (Ealy) had a few hundred dollars on him; that the car did not contain any other currency; and any other currency found inside the car would not belong to him. During the search, the officers found three large, empty, scent-proof duffel bags in the trunk, on top of other items in the trunk; the interior of the bags smelled of marijuana. A backpack containing over \$28,000 in cash (in bundles) was found on the rear passenger seat; the backpack also held credit cards belonging to Ealy.

Marijuana “shake” was also seen on the floorboard near the backpack. After Ealy waived his *Miranda* rights and agreed to speak to the officers, Ealy said the backpack belonged to him. Ealy also told the officer that maybe \$15,000 to \$20,000 was in the backpack and that the money was for the casino. When asked him why he lied about having the money, Ealy said he had heard about people getting money seized from them. Ealy also identified two cell phones found inside the vehicle as belonging to him. He also related that he was going to Oklahoma City (the officers did not know of any casino in that city); was a music artist and made around \$5,000 a show; and tried to do a show once a week. When asked if the large empty duffel bags belonged to him, Ealy stated they could be his, but didn’t know. When asked by the law enforcement officer if there was anything on his cell phones pertaining to marijuana, he said no. When asked if the officers could go through his phone with him, Ealy stated he would rather the officer not do so. After it was explained to Ealy that he was under arrest for possession of drug proceeds and that it was believed Ealy was coming to Oklahoma to purchase marijuana to take back to Texas for distribution, Ealy asked if there was any way to prove otherwise. When one officer told Ealy that he could allow the officer to go through Ealy’s phones to show that Ealy was not involved in the illegal distribution of marijuana but would have to access everything in the phones to do so, Ealy stated that he was fine with the officer going through the phones with Ealy. After the officer confirmed Ealy was okay with the phone searches, Ealy unlocked the phones using his PIN code. When the officer saw a video of a large amount of marijuana on one phone, he asked Ealy was asked if he (Ealy) sold marijuana in Texas; Ealy responded that he buys it to give to his girlfriend. During the

officer's further review of the phone, the officer saw a text message from January 4, 2023 in which an individual asked Ealy for prices on a small amount, Ealy asks him how much he was trying to spend, the subject stated 25-50, and Ealy stated he would give the subject a "g" for 50.⁴ The conversation continued with discussions about meeting locations and time frames. The officer also saw another text message to Ealy stating, "I need a bowl my plug bs?"⁵, with Ealy then sending his location (address) to the sender. When the officer reviewed Ealy's other phone, he saw a text message asking Ealy what his prices were for a "zip"⁶, with Ealy then stating it was 100.

11. Ealy subsequently told the officer that he (Ealy) was going to meet a marijuana seller in the Oklahoma City area at a warehouse; that Kylin was the connect for the deal; and that only Hill knew the location and had it in his (Hill's) phone. When asked him how much marijuana he was supposed to purchase, Ealy said that he was told to bring cash; that he would be buying the marijuana from a guy who goes by "JD" and a man who is an ex-cop; and that he had never previously bought marijuana from the two subjects. Ealy also related that the cash was around \$22,000; his "girl" had banded the money together; and that not all the money in the backpack belonged to him. Ealy was arrested, and his phones and the currency were seized. In jail paperwork

⁴ Based on my training and experience as a DEA agent, I know that a "g" is a shorthand expression for a gram of marijuana in this context.

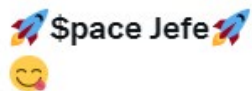
⁵ Based on my training and experience as a DEA agent, I know that a "bowl" is slang for a specific amount of marijuana and that the term "plug" refers to a drug dealer.

⁶ Based on my training and experience as a DEA agent, I know that the term "zip" refers to an ounce of marijuana.

completed following his arrest in Oklahoma, Ealy confirmed a home address in Dallas, Texas.

12. Based on my training and experience, I know that Oklahoma has become a source state for those wishing to acquire marijuana and bring it into Texas; in Oklahoma, marijuana is legal for medical use, and it is sold from numerous dispensaries throughout the state.

13. Ealy maintains an Instagram account under the handle Space Jefe (@spacejefe__). In a recent post, Ealy (aka Space Jefe) commented on the following post from Instagram user The Plug's Wife:



@SpaceStopFlexn · Nov 30, 2022

...



✨ The Plug's Wife ✨ @3xsevennn · Nov 30, 2022

I'm 21 love im not cutting my wings for nobody rn



Based on my training and experience, I recognize the substance held by the woman in the picture as marijuana packaged in a vacuum-sealed bag; I know that marijuana is packaged in this manner to mask its odor to avoid its detection by law enforcement, including trained canines, especially when shipped and mailed.

14. Several weeks later, Ealy (aka Space Jefe) responded to another post from The Plug's Wife:



15. Based on these posts, including their wording and timing, I believe the woman pictured in the posts by The Plug's Wife is Ealy's girlfriend, the one he mentioned when interviewed by the Oklahoma law enforcement investigator on January 10, 2023.

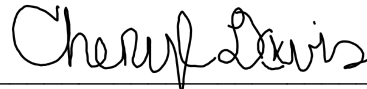
Conclusion

16. Based on the foregoing information, there is probable cause to believe that as early as July 6, 2022, in the Dallas Division of the Northern District of Texas, Ealy conspired with others to commit, and did commit interstate travel or transportation in aid of racketeering enterprises, in violation of 18 U.S.C. § 1343. I therefore request that an arrest warrant be issued so that the Ealy can be dealt with according to law.

Request for Sealing

17. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application, complaint, and arrest warrant. Premature disclosure of these documents

may jeopardize the safety of the officers seeking to arrest Ealy, as well as the current investigation.



CHERYL DAVIS
Special Agent, DEA

Agent sworn and signature confirmed via reliable electronic means, pursuant to Fed. R. Crim. P. 4.1 on this the 16th day of June 2023.



Irma Carrillo Ramirez
United States Magistrate Judge
Northern District of Texas